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PARLIAMENT OF INDIA

NOTIFICATION

*New Delhi, the 9th March, 1950*

**No. 30-II/50-A.**—In exercise of the powers conferred by clause (2) of Article 118 of the Constitution of India as adapted by the Constitution (Renewal of Difficulties) Order No. II, the Speaker of Parliament hereby makes the following amendments in the Rules of Procedure and Conduct of Business in Parliament, published under Notification No. 30-I/50-A, dated the 26th January, 1950, in the Gazette of India Extraordinary of the 14th February, 1950, namely:—

*Amendments*

After Rule 180 and before the Schedule, the following Rules shall be added as Rules 181 to 196 under new Chapter XIII:—

**CHAPTER XIII.**

**QUESTIONS OF PRIVILEGE.**

**181. Question of Privilege.**—Subject to the provisions of these rules, a member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member, or of the House or of a Committee thereof.

**182. Notice of question of privilege.**—A member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised.

**183. Conditions of admissibility of question of privilege.**—The right to raise a question of privilege shall be governed by the following conditions:—

(i) not more than one question shall be raised at the same sitting;

(ii) the question shall be restricted to a specific matter of recent occurrence.

**184. Mode of raising a question of privilege.**—The Speaker, if he gives consent under rule 181 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his place and, while asking for leave to raise the question of privilege, make a short statement relevant thereto.

Provided that where the Speaker has refused his consent under rule 181 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order.

Provided further that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

**185. Reference to Committee of Privileges.**—(1) If leave under rule 184 is granted, the question shall be referred to a Committee of Privileges on a motion made by the Leader of the House or any other member to whom he may delegate his function under this sub-rule.

(2) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places and if not less than twenty-five members rise accordingly, the Speaker shall intimate that leave is granted. If less than twenty-five members rise, the Speaker shall inform the member that he has not the leave of the House.

**186. Constitution of Committee of Privileges.**—(1) At the commencement of Parliament, or from time to time as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than ten members.

(2) The Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

**187. Chairman of Committee of Privileges.**—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

**188. Quorum of Committee.**—The quorum of the Committee shall be five.

**189. Examination of the question by Committee.**—(1) The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it and make such recommendations as it may deem fit.

(2) Subject to the provisions of sub-rule (1) of this rule, the report may also state the procedure to be followed by the House in giving effect to the recommendations made by the Committee.

**190. Evidence before Committee of Privileges.**—(1) The Committee of Privileges shall have power to require the attendance of persons or the production of papers or records if such a course is considered necessary for the discharge of its duties.

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final.

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this rule, a witness may be summoned by an order signed by the Chairman and shall produce such documents as are required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

**191. Sittings of Committee of Privileges.**—(1) As soon as may be after a question of privilege has been referred to the Committee of Privileges, the Committee shall meet from time to time and shall make a report within the time fixed by the House:

Provided that where the House has not fixed any time for the presentation of the report, the report shall be presented within one month of the date on which reference to the Committee was made:

Provided further that the House may at any time, on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) If any member of the Committee of Privileges desires to record a minute of dissent on any matters, he shall sign the report stating that he does so subject to his minute of dissent, and shall at the same time hand in his minute.

**192. Presentation of report.**—The report of the Committee of Privileges shall be presented to the House by the Chairman or in his absence by any member of the Committee.

**193. Consideration of report.**—As soon as may be, after the report has been presented, a motion in the name of the Chairman or any member of the Committee will be put down that the report be taken into consideration.

**194. Amendments.**—Any member may give notice of an amendment to the motion for consideration of the report referred to in rule 193 above in such form as may be considered appropriate by the Speaker:

Provided that an amendment may be moved that the question be re-committed to the Committee either without limitation or with reference to any particular matter.

**195. Regulation of procedure.**—The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee or in the House.

**196. Power of Speaker to refer questions of privilege to Committee.**—Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report

By Order of the Speaker,  
M. N. KAUL  
Secretary.

